

Public Notice
Ohio Environmental Protection Agency
Proposed new OAC rules 3745-109-01 to 3745-109-21
“Clean Air Interstate Rules”

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) proposes the addition of rules in chapter 3745-109 of the Ohio Administrative Code (OAC). The proposed rules have been developed to comply with the requirements of USEPA’s Clean Air Interstate Rule (CAIR) found in Volume 70 of the Federal Register, Page 25162 (70 FR 25162), requiring reduction in air emissions of nitrogen oxides (NO_x) and sulfur dioxides (SO₂). U.S. EPA has identified Ohio and several other states as a source of air pollution contributing to ozone and fine particulate non-attainment in downwind states. As required in Section 110(a)(2)(D) of the Clean Air Act (CAA), USEPA is requiring Ohio, and other states, to decrease emissions of ozone precursors and fine particulates from fossil-fuel-fired electrical generators (EGUs).

The following new rules will be incorporated to meet these requirements:

Rules 3745-109-01 to 3745-109-21, which establish the “CAIR NO_x annual trading program”, “CAIR SO₂ trading program” and the “CAIR NO_x ozone season trading program” in Ohio.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the division formally adopts them. On June 24, 2006, these rules went out for a 30 day review by interested parties.

Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes will be conducted on Thursday, May 17, 2007 at 2:00 p.m. in room conference room 6B at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio.

Pursuant to Part D of Title I of the Clean Air Act, Ohio EPA is required to establish a state implementation plan (SIP) for the attainment and maintenance of the national ambient air quality standards (NAAQS). The above mentioned rules are a part of Ohio’s SIP and the proposed amendments will be submitted to USEPA as a modification of the SIP. The above mentioned hearing shall be considered the public hearing for the SIP submittal.

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on these rule changes. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on May 17, 2007, will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after May 17, 2007, may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

These rules are available on the Web page for electronic downloading by clicking on (regulations) under the “topics” drop-down box. The URL is:

<http://www.epa.state.oh.us/dapc/regs/regs.html>. Questions regarding accessing the web site should be directed to Arunee Niamlarb at 614-728-1342; other questions or comments about these rules should be directed to Lee Burkleca at Ohio EPA, (614) 728-1344, lee.burkleca@epa.state.oh.us, or mailed to Lee Burkleca, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

**PUBLIC NOTICE
OHIO ENVIRONMENTAL PROTECTION AGENCY
RENEWAL OF CERTIFIED PROFESSIONAL CERTIFICATIONS UNDER OHIO'S
VOLUNTARY ACTION PROGRAM**

Notice is hereby given that on April 9, 2007, the Director of the Ohio Environmental Protection Agency, pursuant to Ohio Revised Code ("ORC") 3746.04(B)(5) and Ohio Administrative Code ("OAC") 3745-300-05, issued a renewal of certification to the following: **John L. Payne CP104, Gerald R. Myers CP131, David B. Mustafaga CP183, William B. Lozier CP135, Matthew D. Knecht CP105, Terry L. Hair CP273, Kevin C. Flynn CP227.**

The issuance of the renewal certification is a final action of the Director and will be public noticed in accordance with OAC 3745-47-07. The action may be appealed to the Environmental Review Appeals Commission ("Commission"). The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice or issuance of the action. See ORC 3745.04 and 3745.07. A copy of the appeal must be served on the Director within three (3) days after the appeal is filed with the Commission. The appeal may be filed with the Commission at 309 South Fourth Street, Room 222, Columbus, OH 43215.

If you would like to review a copy of any renewal certificate, or any documents related to the certification, please contact Debi Tavizon, Records Management, at Ohio EPA, Division of Emergency and Remedial Response, Voluntary Action Program, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.

PUBLIC NOTICE

ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 10, 2006, the director of Ohio EPA issued twenty-six certificates of registration as transporter of scrap tires to Rumpke of Kentucky Inc., 1374 Bryan Griffin Rd., Butler, KY 41006. This action is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Directors action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed at the following address: 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

PUBLIC NOTICE

ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 10, 2006, the director of Ohio EPA issued three certificates of registration as transporter of scrap tires to Lakin Environmental Industries LLC., 2044 N. Dominick St., Chicago, IL 60614. This action is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Directors action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed at the following address: 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

PUBLIC NOTICE

ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 10, 2006, the director of Ohio EPA issued thirteen certificates of registration as transporter of scrap tires to Porter Tire Centers Inc., 18361 W US Hwy 60, Olive Hill, KY 41164. This action is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Directors action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed at the following address: 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

PUBLIC NOTICE

ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 10, 2006, the director of Ohio EPA issued two certificates of registration as transporter of scrap tires to Tri-County Industries Inc., 159 TCI Park Dr., Grove City, PA 16127. This action is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Directors action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed at the following address: 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

PUBLIC NOTICE

ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 10, 2006, the director of Ohio EPA issued eight certificates of registration as transporter of scrap tires to DTR Inc., 2640 Hoods Creek Pk., Ashland, KY 41102. This action is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Directors action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed at the following address: 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

PUBLIC NOTICE

ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 10, 2006, the director of Ohio EPA issued forty-four certificates of registration as transporter of scrap tires to Casings Inc., Rte 9W & Maple Ave., Catskill, NY 12414. This action is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Directors action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed at the following address: 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

PUBLIC NOTICE

ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 10, 2006, the director of Ohio EPA issued twenty certificates of registration as transporter of scrap tires to Elkhart Distributing Inc., 57858 Charlotte Ave., Elkhart, IN 46517. This action is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Directors action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed at the following address: 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

PUBLIC NOTICE

ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 10, 2006, the director of Ohio EPA issued twenty certificates of registration as transporter of scrap tires to Elkhart Distributing Inc., 57858 Charlotte Ave., Elkhart, IN 46517. This action is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Directors action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed at the following address: 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

PUBLIC NOTICE

ISSUANCE OF SCRAP TIRE TRANSPORTER REGISTRATION

Notice is hereby given that on April 10, 2006, the director of Ohio EPA issued eighteen certificates of registration as transporter of scrap tires to Entech Inc., 69676 M-103, White Pigeon, MI 49099. This action is subject to all rules, regulations, and specified conditions. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Directors action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed at the following address: 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Person's wishing to be on Ohio EPA's interested parties mailing list for this project must submit a request in writing to Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

PUBLIC NOTICE

The following permit was issued on April 6, 2007 as a final action with an effective date of May 1, 2007 . Final actions are actions of the Director which are effective upon issuance or a stated effective date. Pursuant to Ohio Revised Code Section 3745.04, a Final Action may be appealed to the Environmental Review Appeals Commission (ERAC) filing an appeal within 30 days of notice of the final action. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General(s) Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Appeals Commission at 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Final Issuance of NPDES General Permit:

General Permit Authorization to Discharge Wastewater from Temporary Discharges under The National Pollutant Discharge Elimination System

Statewide - Ohio

Issue Date: April 6, 2007

Effective Date: May 1, 2007

Expiration Date: April 30, 2012

Ohio NPDES General Permit Number OHT000001

This Final Action Was Not Preceded by a Proposed Action and is Appealable to ERAC.

The full text of the permit can be viewed over the Internet at <http://www.epa.state.oh.us/dsw> or copies can be obtained by calling Ohio EPA Division of Surface Water at 614 644-2001.

PUBLIC NOTICE

The following permit is being issued as a final action with an effective date of April 10, 2007. Final actions are actions of the Director which are effective upon issuance or a stated effective date. Pursuant to Ohio Revised Code Section 3745.04, a Final Action may be appealed to the Environmental Review Appeals Commission (ERAC) filing an appeal within 30 days of notice of the final action. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General(s) Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Appeals Commission at 309 South Fourth Street, Room 222, Columbus, Ohio 43215.

Final Issuance of General Permit:

Pursuant to Section 6111.021 of the Ohio Revised Code (ORC), the Director of the Ohio Environmental Protection Agency hereby authorizes the filling of, and the discharge of dredged material into, Category 1 and Category 2 isolated wetlands of a total of (acre or less. This General Isolated Wetland Permit shall be effective for five (5) years.

Issue Date: April 10, 2007

Effective Date: April 10, 2007

This Final Action Was Not Preceded by a Proposed Action and Is Appealable to ERAC.

The full text of the permit can be viewed on the Ohio EPA web site at <http://www.epa.state.oh.us/dsw/401/401.html> or copies can be obtained by calling (614) 644-2001.

Date of Public Notice: April 18, 2007

**PUBLIC NOTICE
NOTICE OF RECEIPT OF ISOLATED WETLAND PERMIT
APPLICATION (LEVEL 2)**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, an Isolated Wetland Permit (Level 2) for a project to extend Foltz Road southward to connect to Boston Road (Strongsville) and develop a 150 acre technology /industrial park. The application was submitted by the City of Strongsville, 16099 Foltz Industrial Parkway, Strongsville, Ohio 44149. The project is located north of Boston Road, east of the Lorain-Cuyahoga County border and south of Drake Road, Strongsville, Cuyahoga County, Ohio. This project is also in conjunction with a 401 project numbered 063006. The Ohio EPA Number for this project is 073066.

The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Ohio Revised Code (ORC) Sections 6111.02 to 6111.028 and other applicable provisions of state laws. Other alternatives as proposed by the applicant resulting in less adverse impact to the isolated wetland ecosystem, will be considered by Ohio EPA during the review process.

Starting April 18, 2007, copies of the application and technical support information may be inspected at Ohio EPA/DSW, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio, by first calling (614) 644-2001. Applications can be made available at Ohio EPA District Offices by calling the same number.

Persons wishing to 1) be on Ohio EPA's interested parties mailing list for this project, 2) request a public hearing, or 3) submit written comments for Ohio EPA's consideration in reviewing the application should do so in writing to Ohio EPA/DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 within 20 days of the date of this public notice.

PUBLIC NOTICE

**OHIO EPA ISSUES FINAL FINDINGS AND ORDERS TO
NOVACOTES, INC.**

On April 4, 2007, Ohio EPA issued final Findings and Orders to Novacotes. Inc. for its facility located at 3807 West 150th, Cleveland, Ohio 44111. This facility established an unpermitted hazardous waste facility and stored such waste at their location owned by J.H.&H. Management, Inc. The EPA I.D. number for this facility is OHR000014043.

Novacotes, Inc. must achieve compliance with Chapter 3734 of the Ohio Revised Code and the regulations promulgated thereunder according to the detailed compliance schedule outlined in the orders. This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission.

PUBLIC NOTICE

**Ohio EPA Director Issues
Final Findings and Orders for
Ford Bros. (aka Tri-State Tank Cleaning) Site, Coal Grove, Ohio**

On April 6, 2007, the Director of the Ohio Environmental Protection Agency (Ohio EPA) issued as a final action Director's Final Findings and Orders (Orders) to Jenny L. Ford and J. Robert Ford of Hurricane, West Virginia to implement a Remedial Design/Remedial Action (RD/RA) at the Ford Bros. (aka Tri-State Tank Cleaning) Site, located on Riverside Drive in Coal Grove, Lawrence County, Ohio. The purpose of the RD/RA is to address soil and ground water contamination at the Site. The Orders require the following actions: 1) submittal and implementation of an RD/RA Workplan, 2) submittal and implementation of a Health and Safety Plan, and 3) submittal and implementation of an Operation and Maintenance Plan.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, OH 43215.

The Director's Final Findings and Orders, and related documents, are available for review at Ohio EPA's Southeast District Office by calling or e-mailing Angie Hardesty at (740) 380-5415 or angie.hardesty@epa.state.oh.us for an appointment.

Date of Public Notice: April 13, 2007

**PUBLIC NOTICE
NOTICE OF RECEIPT OF 401 APPLICATION AND PUBLIC HEARING**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 certification for a residential development project known as The Landings at Maple Bay. The application was submitted by Winding Road Ventures, LLC, 101 West Big Beaver Road, Suite 910, Troy, Michigan 48084. The project is located east of State Route 79, south of Interstate 70, and north of Buckeye Lake in the Village of Buckeye Lake, Licking County, Ohio. The Huntington District of the U.S. Army Corps of Engineers' Public Notice Number for this application is 200201409. The Ohio EPA ID Number for this project is 073088.

As required by the Antidegradation Rule, three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would impact 1.59 acres of wetland, 398 linear feet of ephemeral stream and 0.52 acres of Buckeye Lake for the development 176 individual condominium units and the associated infrastructure. The applicant's proposed minimal degradation alternative, if approved, would impact 1.19 acres of wetland, 398 linear feet of ephemeral stream and 0.52 acres of Buckeye Lake for the development 170 individual condominium units and the associated infrastructure. The applicant's proposed non-degradation alternative, if approved, would have no direct impacts to waters of the state.

The discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the South Fork Licking River watershed. The review of the application will be conducted, and a decision whether to grant or deny the application will be made, in accordance with Chapters 3745-1 and 3745-32 of the Ohio Administrative Code (OAC). In accordance with OAC 3745-1-05, an antidegradation review of the application will be conducted before deciding whether to allow a lowering of the water quality. Other alternatives resulting in lesser or no degradation or lowering of water quality will be considered by Ohio EPA during the review process.

No exclusions or waivers, as outlined by Paragraph 3745-1-05 (D) of the Antidegradation Rule (effective as of May 1, 1998), apply or may be granted by the Director of Ohio EPA.

Beginning April 13, 2007, copies of the application for the certification and technical support information may be inspected at Ohio EPA-DSW, P.O. Box 1049, Columbus, Ohio 43216-1049 by first calling (614) 644-2001. Applications can be made available at the Ohio EPA District Office by calling the same number.

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on May 30, 2007 at 6:30 p.m. at the Lakewood High School Auditorium, 9331 Lancer Road, SE, Hebron, Ohio 43025. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the projects.

All interested persons are entitled to attend or be represented and give written or oral comments on the proposed project. The purpose of the hearing is to obtain additional information that will be considered by the Director of Ohio EPA prior to any further action on the application. Persons wishing to be on Ohio EPA's interested parties mailing list for this project, or wish to submit comments for Ohio EPA's consideration in reviewing the application should do so in writing to Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049 by the close of business on June 6, 2007. Comments received after this date may not be considered as part of the official record of the hearing.

PUBLIC NOTICE

OHIO EPA ISSUES FINAL MODIFIED HAZARDOUS WASTE PERMIT

On April 12, 2007, Ohio EPA issued a final Class 2 modified Hazardous Waste Facility Installation and Operation Permit (Permit) to BP Products North America (BP) for its Toledo Refinery at 4001 Cedar Point Road, Oregon, Ohio 43616. The EPA Identification Number for this facility is OHD005057542.

Why does BP need this modified Permit?

BP Products North America is a permitted hazardous waste facility which manufactures gasoline, low sulfur diesel fuel, aviation gasoline, turbine fuels, asphalt, coke, liquified petroleum gas (LPG), propylene, carbon dioxide, and sulfur. BP wishes to modify the contingency plan per permit conditions A.28(b) and B.17 to update the emergency equipment and to set a schedule for which the emergency equipment is to be inspected. This final permit modification will allow BP to make the requested changes. To issue this final modified permit, Ohio EPA determined that the proposed changes meet appropriate standards.

Can I appeal this modified permit?

Yes, if you are an officer of an agency of the state or of a political subdivision, acting in a representative capacity, or any person who would be aggrieved or adversely affected by this Permit, you have the right to appeal this permit decision to the Environmental Review Appeals Commission (ERAC).

If I decide to appeal this final modified Permit, how and when must I make the appeal?

If you file an appeal, you must put it in writing no later than May 14, 2007. Your appeal must explain why you are appealing the action and the grounds you are using for your appeal. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. You must file your appeal, according to Ohio Revised Code § 3745.04 with ERAC at the following address: ***Environmental Review Appeals Commission***, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. You must send a copy of the appeal to the director of Ohio EPA at the following address no later than three (3) days after you file it with ERAC: ***Chris Korleski , Director of Ohio EPA***, P.O. Box 1049, Columbus, Ohio 43216-1049.